

October 19, 2009 (/full-blog/2009/10/does-kentucky-river-authority-have.html)

Does the Kentucky River Authority have the power to close locks on the river? (/full-blog/2009/10/does-kentucky-river-authority-have.html)

"Kentucky River Authority" (/full-blog?category=%22Kentucky+River+Authority%22)



(<http://i440.photobucket.com/albums/qq129/toolman1951/Rabbit%20Hash%20Trip/MarklandDam3.jpg>)

This post was written by Production Editor Mark Rouse.

According to the Kentucky Court of Appeals the answer is "yes." Kentucky River Authority v. City of Danville, 932 S.W.2d 374 (Ky. App. 1996). As early as

the 1800's the U.S. Army Corp. of Engineers started building a lock and dam system on the Kentucky River. Andy Mead, "Kentucky River: A River to Nowhere" LEXINGTON HERALD LEADER, Oct. 19, 2009 *available at* http://www.kentucky.com/latest_news/story/982597.html (http://www.kentucky.com/latest_news/story/982597.html). One of the primary goals of the system was to connect the "lumber and coal rich region of eastern Kentucky" with the Ohio River to increase trade of such resources throughout the United States and the world. See Finance.Ky.Gov, "Locks and Dams" <http://finance.ky.gov/ourcabinet/attached+agencies/Id.htm> (<http://finance.ky.gov/ourcabinet/attached+agencies/Id.htm>). Today the lock and dam system of the Kentucky River primarily serves recreational boaters. After operating for almost two hundred years the U.S. Army Corp. of Engineers started discussing closing the system in the 1980s and has transferred or is in the process of transferring all dams and locks to the Commonwealth. See Andy Mead, "Kentucky River: A River to Nowhere" and Finance.Ky.Gov, "Locks and Dams."

When visiting the Kentucky River Authority's website describing the lock and dam system on the

Kentucky River a visitor is greeted with the following quote by William Ellis. " One of the largest tributaries that flows into the majestic Ohio, the Kentucky River cuts a swath through the heart of the Bluegrass. Its 255 miles have formed a living thread that binds the people and places of the state." Finance.Ky.Gov, "Locks and Dams." The dams and locks between the Ohio River and Frankfort are in need of repair and the Kentucky River Authority is considering putting up barriers across Dam 4 in Frankfort essentially turning portions of the River into lakes. See Andy Mead, "Kentucky River: A River to Nowhere." Dam 4 is still controlled by the U.S. Army Corp. of Engineers but the Kentucky River Authority is "responsible for the conservation of the Kentucky River basin waters" which suggests that the Kentucky River Authority has the power to regulate what activities occur on the Kentucky River including the activities of the dams and locks system. See 932 S.W.2d at 376. The Kentucky General Assembly in years past has appropriated money to maintain the dam and lock system but considering a cost/benefit analysis the Kentucky River Authority has decided that the system is too expensive to maintain for the minimal amount of boat traffic. See Any Mead, "Kentucky River: A River to Nowhere."

Tourism in Kentucky is expected to reach a record high next fall when the World Equestrian Games visit the Bluegrass. All across the Commonwealth new developments and tourist attractions have been prepared for this international event. What better way to celebrate the cultural diversity of the Bluegrass than by providing international visitors with a relaxing cruise down the scenic Kentucky River? The cost might be high of repairing the dam and lock system for boat travel but by doing so the world can celebrate and experience the River William Ellis spoke so fondly of.

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